

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2291 - SB 2368

June 8, 2020

**SUMMARY OF ORIGINAL BILL:** Changes, from 14 to 21, the number of calendar days in which a hearing requested by a police officer who has been dismissed, demoted, suspended, or transferred for punitive reasons must be set following the request.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENT (018267):** Adds language to the legislation to require the Peace Officers Standards and Training (POST) Commission, by January 1, 2021, to develop a use of force continuum to be implemented by each law enforcement agency. Defines a "use of force continuum" as a set of policies that guide a law enforcement officer's use of force when interacting with a person.

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 38-8-305(a), a police officer who is dismissed, demoted, suspended or transferred for punitive reasons, may within a reasonable amount of time following such action, as set by the officer's agency, request a hearing. If such request is made in a timely manner, a hearing shall be held within a reasonable amount of time set by the agency. The hearing shall be set no later than 14 calendar days following the date of request, unless a later date is acceptable to the police officer.
- Increasing to timeframe by which a hearing is to be set by one week will not result in a significant impact to state or local government expenditures.
- Requiring the POST Commission to develop a use of force continuum to be implemented by each law enforcement agency can be accomplished with existing personnel and resources.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

*Krista Lee Carsner BS*

Krista Lee Carsner, Executive Director

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